FINDING OF IMMINENT AND SUBSTANTIAL ENDANGERMENT
United Zinc #1 Site
Iola, Allen County, Kansas

An imminent and substantial endangerment to the public health or welfare or the environment exists at this location because of an actual or threatened release of a hazardous substance at or from this site. The threat is due to lead contaminated soils on the McKinley Elementary School playground exceeding 5,500 parts per million (ppm). The property is located at 204 S. Kentucky Street in Iola, Kansas.

I. SITE INFORMATION

Site Name:	United Zinc #1 Site
Site Number:	A78Q
CERCLIS ID:	KSN000705026
Site Location:	McKinley Elementary School 204 S. Kentucky Iola, KS 66749

Category or Removal: Time-Critical Removal #2

Potentially Responsible Parties: unknown at this time

Access: _X_ Restricted ____ Unrestricted

NPL Status: This site is not on or is anticipated to be on the NPL

Removal Start Date: June 20, 2007

II. THREAT TO THE PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT

A. Site Background

The discovery and use of natural gas in the early 1900s led to the development of zinc and lead smelting operations in southeast Kansas. The site was one of several zinc and lead smelting operations in the area. It was first operated by William Lanyon from

SUPR McGlasson 6/14/07

SUPR Hayes 6/19/07

SUPR Singletary 6/19/07

1901 to 1902. The facility was then sold to United Zinc and operated until approximately 1912. The site was owned by United Zinc from 1902 to 1925. Historical records indicate that the site originally housed machinery and buildings for the lead smelting operations. All smelter facilities at the site have been removed, and the property has been graded, leveled, and developed since the 1920s.

EPA Emergency Response & Removal initially responded to the site on April 15, 2006. EPA began sampling properties using an X-ray fluorescence screening instrument and confirmatory laboratory analysis in the Iola community. To date approximately 1685 homes, daycare facilities, schools, and commercial areas were screened, and approximately 131 properties underwent soil remediation. Soil remediation began under the site name as United Zinc Site #1 on August 14, 2006.

B. Site Description

Based on the original sampling effort in mid-April 2006, McKinley Elementary School was found to have lead levels exceeding 400 part per million and was excavated in designated areas of the grounds on August 19, 2006. During the months of April and June 2007, the school had completed minor ground maintenance resulting in the spreading of lead-contaminated soils throughout the school playground. As a result, those areas were sampled and found at levels of up to 5,500 ppm. Based on that information, EPA determined that a hazardous substance was present at levels that posed actual exposures to human populations thereby warranting an emergency removal action.

C. Hazardous Substances Present:

Lead is a hazardous substance as defined by Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), and is listed at 40 CFR § 302.4. Sampling has confirmed that the levels of lead in surface soils are above levels of concern.

D. Nature of Actual or Threatened Release of Hazardous Substance:

Visual assessment and instrument screening have confirmed hazardous substances are present at the site, as described in the previous section.

The following factors (from 40 CFR 300.415) were considered in determining the appropriateness of a removal action:

_X_ Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants [300.415 (b) (2) (ii)].

____ Actual or potential contamination of drinking water supplies or sensitive

ecosystems [300.415 (b) (2) (ii)].

____ Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that pose a threat of release [300.415 (b) (2) (iii)].

_X_ High levels of hazardous substances or pollutants or contaminants in soils [300.415 (b) (2) (iv)].

_X_ Weather conditions that may cause hazardous substances or pollutants to migrate or to be released [300.415 (b) (2) (v)].

____ Threat of fire or explosion [300.415 (b) (2) (vi)].

_X_ The availability of other appropriate federal or state response mechanisms to respond to the release [300.415 (b) (2) (vii)]. The Kansas Department of Health & Environment requested assistance and was unable to perform the necessary measures to insure adequate cleanup.

____ Other situations or factors that may pose threats to the public health or welfare or the environment.

III. SELECTED REMOVAL ACTION

The selected actions for this site are excavation of lead-contaminated material, treatment if necessary, and offsite disposal and restoration.

IV. ESTIMATED COSTS

Extramural Costs

Contractor Costs	$35,864
Contingency 20%	$ 7,173
Subtotal, Extramural Costs	$43,037

Intramural Costs

EPA Direct Costs	$ 1,000
EPA Indirect Costs (52.39% of all costs)	$23,071
Subtotal, Intramural Costs	$24,071

TOTAL REMOVAL PROJECT CEILING	$67,108

_____ Date:_____

Eddie McGlasson
On-Scene Coordinator

Approved:

_____ Date:_____

Scott Hayes, Chief
Emergency Response & Removal Branch